

89022

GENERAL STATUTES OF
MINNESOTA

SUPPLEMENT 1917

CONTAINING THE AMENDMENTS TO THE GENERAL STATUTES
AND OTHER LAWS OF A GENERAL AND PERMANENT
NATURE, ENACTED BY THE LEGISLATURE
IN 1915, 1916, AND 1917

WITH NOTES OF ALL APPLICABLE DECISIONS

COMPILED BY

FRANCIS B. TIFFANY



WEST PUBLISHING CO.

1918

demeanor whenever it shall appear to the court that the person accused is unable by reason of poverty to procure counsel. ('17 c. 496 § 2)

[8513—]2. **Same—To appear before board of pardons and parole—**Whenever the committing judge, or the judge in charge of the criminal court, shall deem it advisable he may by order direct the said public defender to appear before the board of pardons, or parole for and on behalf of any applicant for pardon or parole who was committed from such county. ('17 c. 496 § 3)

[8513—]3. **Same—Compensation—**He shall receive compensation for his services as the judges of the district court shall fix, said compensation to be paid by the county in the same manner and at the same time as the salary of other county officials. ('17 c. 496 § 4)

[8513—]4. **Same—Term of office—**The term of office of the public defender shall be four (4) years, but he may be re-appointed as often as the majority of the judges of the district court shall concur in such re-appointment. ('17 c. 496 § 5)

[8513—]5. **Same—Assistants—**He shall have the power to appoint and remove his assistants and number and compensation of which shall be fixed by the judges of the district court, by an order filed with the county auditor. Their compensation shall be paid by the county in the same manner and at the same time as the salaries of other county officials. ('17 c. 496 § 6)

[8513—]6. **Same—To appear for criminals who plead guilty on information—**The public defender shall also appear for and on behalf of criminals who shall have pleaded guilty on information as provided in section 9162, General Statutes of 1913, in counties now or hereafter having a population of 300,000 or over. ('17 c. 496 § 7)

CHAPTER 95

CRIMES AGAINST THE SOVEREIGNTY OF THE STATE

[8521—]1. **Interfering with enlistment by printing or writing, etc.—**It shall be unlawful from and after the passage of this act for any person to print, publish or circulate in any manner whatsoever any book, pamphlet, or written or printed matter that advocates or attempts to advocate that men should not enlist in the military or naval forces of the United States or the state of Minnesota. ('17 c. 463 § 1)

[8521—]2. **Same—By word of mouth—**It shall be unlawful for any person in any public place, or at any meeting where more than five persons are assembled, to advocate or teach by word of mouth or otherwise that men should not enlist in the military or naval forces of the United States or the state of Minnesota. ('17 c. 463 § 2)

[8521—]3. **Same—Teaching or advocating against aid in war—**It shall be unlawful for any person to teach or advocate by any written or printed matter whatsoever, or by oral speech, that the citizens of this state should not aid or assist the United States in prosecuting or carrying on war with the public enemies of the United States. ('17 c. 463 § 3)

[8521—]4. **Same—"Citizen" defined—**A citizen of this state for the purposes of this act is hereby defined to be any person within the confines of the state. ('17 c. 463 § 4)

[8521—]5. **Same—Gross misdemeanor—**Any person violating any provisions of this act is hereby declared to be guilty of gross misdemeanor and shall be punished therefor by a fine of not less than one hundred dollars, (\$100.00) nor more than five hundred dollars, (\$500.00), or by imprisonment in the county jail for not less than three months nor more than one year, or by both. ('17 c. 463 § 5)

[8521—]6. **Same—Officers who may arrest**—Any police or peace officer of this state, or any regularly commissioned officer in the army or navy of the United States or of the national guard or organized militia of the state of Minnesota is hereby authorized to summarily arrest any person violating any provisions of this act. ('17 c. 463 § 6)

[8521—]7. **Subjects of nation at war with United States forbidden to have fire arms, explosives, etc.**—It shall be unlawful for any citizen or subject of any nation with which the United States is at war, and who has not declared his intention to become a citizen of the United States, to have in his possession or under his control any firearms of any kind or nature whatsoever, or any explosives of any kind or nature whatsoever, or the necessary ingredients of any explosives from which explosives could be manufactured. Provided, however, that any person, having in his possession or in his control any such forbidden article shall have five (5) days from and after the passage of this act to dispose of the same. ('17 c. 435 § 1)

See §§ [8809—]1, [8809—]2.

[8521—]8. **Same—Gross misdemeanor**—Any person violating any provision of this act shall be guilty of gross misdemeanor and shall be punished by a fine of not less than one hundred dollars, (\$100.00) nor more than five hundred dollars, (\$500.00), or by imprisonment in any county jail in this state for not less than sixty (60) days nor more than one year, or by both. ('17 c. 435 § 2)

[8521—]9. **Same—Arrests**—Any police officer of this state is hereby authorized to summarily arrest any person violating any of the provisions of this act. ('17 c. 435 § 3)

CHAPTER 96

CRIMES AGAINST PUBLIC JUSTICE

BRIBERY AND CORRUPTION

8526. **Asking or receiving bribes—**

Cited (134-26, 158+790).

8538. **Interfering with public officers—**

Evidence held to sustain a conviction of resisting an officer in the performance of his duty (135-211, 160+666). Obstructing Justice, ⇐16.

PERJURY AND OTHER CRIMES

8576. **Resisting public officer—**

Where the offense of which defendant was charged was clearly embraced in § 8538, it was proper to refuse to charge on simple misdemeanor under this section (135-211, 160+666).

8582. **Criminal contempts—**

Criminal contempt defined (see 128-153, 150+383). Contempt, ⇐3.

[8596—]1. **Criminal syndicalism defined—Advocacy of, felony**—Criminal syndicalism is hereby defined as the doctrine which advocates crime, sabotage, (this word as used in this bill meaning malicious damage or injury to the property of an employer by an employé) violence or other unlawful methods of terrorism as a means of accomplishing industrial or political ends. The advocacy of such doctrine, whether by word of mouth or writing is a felony punishable as in this act otherwise provided. ('17 c. 215 § 1)

[8596—]2. **Same—Teaching or advocating syndicalism, felony**—Any person who by word of mouth or writing, advocates or teaches the duty, necessity or propriety of crime, sabotage, violence or other unlawful methods of terrorism as a means of accomplishing industrial or political ends, or prints,